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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

CENOBIO H. HERRERA, SR., } Case No. 2:22-cv-07784-RSWL-JDE
Petitioner, }
v. } ORDER ACCEPTING REPORT
BRIAN BIRKHOLZ, Warden, et al., } AND RECOMMENDATION OF
Respondents. } UNITED STATES MAGISTRATE
JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the records on file, including Petitioner’s Emergency Motion Seeking Immediate Release and Termination of Sentence Under 28 U.S.C. § 2241 (Dkt. 1 “Petition”) and the Report and Recommendation of the United States Magistrate Judge filed on December 1, 2022 (Dkt. 10, “Report”). Petitioner did not timely file any objection to the Report or seek additional time in which to do so. The Court accordingly accepts the findings and recommendation of the Magistrate Judge.

IT IS THEREFORE ORDERED that Judgment shall be entered dismissing this action without prejudice.

Dated: January 18, 2023

/S/ RONALD S.W. LEW

RONALD S. W. LEW

United States District Judge